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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No
A-1610CON2

Total Pages in this Submission

81

TO THE COMMISSIONER FOR PATENTS

**Box Patent Application
Washington, D.C. 20231**

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 CFR 1.53(b) is a new utility patent application for an invention entitled:

SINGLE-TAILED SUTURING METHOD AND APPARATUS

and invented by:

Seth A. Foerster

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

☒ **Continuation** ☐ **Divisional** ☐ **Continuation-in-part (CIP)** of prior application No.: 09/949,249

Enclosed are **Application Elements**:

- ☒ Filing Fee
- ☒ Specification having 29 page(s) and including the following:
 - ☒ Title of the Invention
 - ☐ Cross References to Related Applications *(if applicable)*
 - ☒ Background of the Invention
 - ☒ Brief Summary of the Invention
 - ☒ Description of the Drawings
 - ☒ Description of the Preferred Embodiment
 - ☒ Claim(s) as Classified Below
 - ☒ Abstract of the Disclosure
- ☒ 40 Sheets of Drawings(s) (37 CFR 113) ☐ Formal ☒ Informal
- ☒ Oath or Declaration ☒ Executed ☐ Unexecuted
 - ☒ Copy from prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- ☒ Power of Attorney ☒ Executed ☐ Unexecuted
 - ☒ Copy from prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- ☒ Incorporation By Reference -- The entire disclosure of the prior application from which a copy of the oath or declaration is supplied under the above entry, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☐ Computer Program in Microfiche *(Appendix)*

Accompanying Application Parts

- ☒ Assignment Papers (cover sheets & documents(s))
- ☒ The prior application is assigned of record to OPUS MEDICAL, INC.
 - ☒ Copy from prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- ☐ 37 CFR 3.73(B) Statement *(when there is an assignee)*
- ☐ English Translation Document *(if applicable)*

- ☒ Information Disclosure Statement/PTO-1449 ☐ Copies of ___ IDS Cited Reference(s)
☐ Preliminary Amendment
☒ Acknowledgment postcard
☒ Application is entitled to Small Entity Status.
☒ Application Data Sheet
☐ Request of NON-PUBLICATION of Application
☒ Certificate of Mailing by Express Mail
☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)

Fee Calculation and Transmittal

*The filing fee is calculated on the basis of the claims existing in the prior application as amended by the accompanying preliminary amendment noted above.

CLAIMS AS FILED					
For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	20	- 20 =	0	X \$ 18.00	\$ 0.00
Independent Claims	3	- 3 =	0	X \$ 86.00	\$ 0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$ 0.00
BASIC FEE					\$ 770.00
SUBTOTAL					\$ 770.00
(Application is entitled to small entity status under 37 CFR 1.9 and 1.27) adjusted small entity status claim fees [rate ÷ 2] SMALL ENTITY STATUS					yes 385.00
OTHER FEE (specify purpose)					\$ 0.00
TOTAL FILING FEE					\$ 385.00

- ☐ A check in the amount of \$_____ to cover the filing fee is enclosed.
☒ The Commissioner is hereby authorized to charge and/or credit Deposit Account Number 13-5135 as described below.
☒ Charge the amount of \$ 385.00 as filing fee.
☒ Credit any overpayment.
☒ Charge any additional filing fees required under 37 CFR 1.16 and 1.17.

Respectfully Submitted,



Donald E. Stout
 Attorney for Applicants
 Registration Number: 34,493

Date: 12/31/03
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: /
Seth A. Foerster / BOX PATENT APPLICATION
/
Attorney's: A-1610con2 /
/
Filed: Herewith /
/
For: SINGLE-TAILED SUTURING /
METHOD AND APPARATUS /

EXPRESS MAIL MAILING LABEL NO. EV204258365US)

Date of Deposit: December 31, 2003

I hereby certify that the following documents as identified below are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under CFR 1.10 on the date indicated above and are addressed to the Mail Stop Patent Application, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

1. Application Transmittal Form;
2. Application Data Sheet;
3. Copy of parent Specification (29 pages)
(25 pages including Abstract/ and 20 claims (4 pages);
4. Copy of drawings (40 sheets);
5. Copy of parent Declaration and Power of Attorney;
6. Copy of recorded parent Assignment;
7. Information Disclosure Statement;
8. PTO1449 -- 1 sheet;
9. Copy of Petition for Extension of Time filed in Parent Application No. 09/949,249; and
10. Return Receipt postcard.

Each of the 10 above-identified documents are enclosed herewith.

Respectfully submitted,



Diane L. Rasmuson
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Facsimile 949/ 450-1764

Docket A-1610con2

The enclosed continuation application of
Seth Foerster
is being filed in accordance with section 1.10
by Express Mail and should be accorded a filing date of
December 31, 2003.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: / Confirmation No.: 1030
Seth A. Foerster /
US Serial No.: 09/949,249 / Group Art Unit: 3731
Filed: 9/7/2001 / Examiner: Gary Jackson
Title: SINGLE-TAILED SUTURING / Customer No.: 33197
METHOD AND APPARATUS /

CERTIFICATE OF FACSIMILE TRANSMITTAL

I hereby certify that this correspondence is being facsimile transmitted to facsimile telephone number 703-872-9306 on Wednesday, December 31, 2003.

Date: 12/31/03

Signed: Donald E. Stout

Donald E. Stout, Reg. No. 34,493

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application, for the purpose of ensuring co-pendency of the subject application with a continuation application to be filed.

Accordingly, a three month extension of time for response to the office action of July 1, 2003, up to and including Friday, January 2, 2003, is requested. Authorization is hereby given to charge the small entity fee of \$475, and any other necessary fees, to Deposit Account No. 13-5135.

Respectfully submitted,

Donald E. Stout
Donald E. Stout
Reg. No. 34,493

December 31, 2003
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